


# Mail Stop RCE

Modified PTO/SB/30 (08-00)

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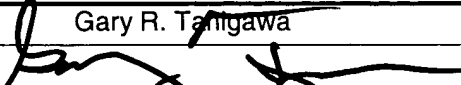
 <p><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995 See The American Inventors Protection Act of 1999 (AIPA).</p>	<b>Application Number</b>	09/674,716
	<b>Filing Date</b>	January 22, 2001
	<b>First Named Inventor</b>	BONNEFOY et al.
	<b>Group Art Unit</b>	1644
	<b>Examiner Name</b>	P.N. Huynh
	<b>Attorney Docket Number</b>	1430-256

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

- Submission required under 37 C.F.R. § 1.114**
  - ☐ Previously submitted
    - ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other \_\_\_\_\_
  - ☒ Enclosed
    - ☒ Preliminary Amendment
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☒ Other **Form PTO-1449 and Reference**
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - ☐ Applicant claims "small entity" status.
  - ☒ Fees are attached as calculated below:
    - ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$ 770.00
    - ☐ Petition is made to extend the due date \_\_\_\_\_ months (less \_\_\_\_\_ months previously paid) \$ \_\_\_\_\_
    - ☐ Other \_\_\_\_\_ \$ \_\_\_\_\_
  - ☒ Check in the amount of \$770.00 \_\_\_\_\_ enclosed
  - ☐ Payment by credit card (Form PTO-2038 enclosed)
  - ☒ The Director is hereby authorized to charge any deficiency in the fee(s) filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), to Deposit Account No. 14-1140

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Gary R. Tanigawa	Registration No. (Attorney/Agent)	43,180
Signature		Date	July 27, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent Application of

BONNEFOY et al.

Appln. No. 09/674,716

Filed: January 22, 2001

FOR: ANTIBODIES TO CD23, DERIVATIVES THEREOF, AND THEIR THERAPEUTIC  
USES

Confirmation No.: 3589

Atty. Ref.: 1430-256

T.C. / Art Unit: 1644

Examiner: P.N. Huynh

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**PRELIMINARY AMENDMENT**

July 27, 2004

**Mail Stop RCE**

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Prior to calculation of the filing fee and examination of this application, entry and consideration of the following amendments and remarks are respectfully requested.

The **claims** are presented on pages 2-4.

Claims 1 and 6-9 are amended.

Claims 15-17 are canceled without prejudice or disclaimer.

Claims 21-22 are added.

**Remarks** begin on page 5.